

Message Text

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ACTION ARA-10

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FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 3996

UNCLAS CARACAS 8695

E.O. 11652: N/A

TAGS: PINT, ENRG, VE

SUBJ: MEP DEPUTY CALLS ON PRESIDENT TO PUNISH OCCIDENTAL

REF: CARACAS 8644

1. MEP DEPUTY SIUBERTO MARTINEZ, CHAIRMAN OF THE CONGRESSIONAL COMMITTEE WHICH INVESTIGATED ALLEGATIONS OF BRIBERY BY OCCIDENTAL PETROLEUM CO., SPOKE OUT JULY 15 OBJECTING TO THE FINDING OF THE 12TH CRIMINAL COURT THAT THERE WAS NO EVIDENCE OF BRIBERY OF GOV OFFICIALS BY US. CITIZENS JOHN ASKEW AND CHARLES HATFIELD AND FIVE OTHER ASSOCIATES. HE COMPLAINED THAT THE COURT MERELY CITED THE SEVEN INDIVIDUALS FOR CONSPIRACY TO COMMIT A CRIME (REFTEL.)

CLAIMING THAT ACCIDENTAL WAS SUFFICIENTLY IMPLICATED IN WRONG-DOING, MARTINEZ SAID, "ONLY THE DECISION OF THE GOVERNMENT IS LACKING, THE DECISION OF THE PRESIDENT OF THE REPUBLIC, WHICH CAN BE NO OTHER THAN TO PENALIZE OCCIDENTAL." ALTHOUGH OCCIDENTAL HAS CONSISTENTLY DENIED HAVING BRIBED GOV OFFICIALS, MARTINEZ SAID, "IT IS SUFFICIENTLY CLEAR THAT PERSONS RECEIVED GIFTS FROM THE OIL COMPANY TO GAIN AN ADVANTAGE IN A CONTRACT WITH THE VENEZUELAN GOVERNMENT."

2. REFERRING TO OCCIDENTAL'S BS.118 MILLION COMPENSATION CLAIM FOR ITS NATIONALIZED SERVICE CONTRACT WITH THE VENEZUELAN PETROLEUM CORPORATION, MARTINEZ SAID THAT "IT WOULD BE THE UNCLASSIFIED

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HEIGHT OF ABSURDITY IN VIEW OF ALL THAT HAPPENED TO LET

OCCIDENTAL LEAVE VENEZUELA SCOT-FREE. ASKED IF THE COMPENSATION CLAIM SHOULD BE HANDLED BY A SPECIAL COURT, MARTINEZ SAID THAT, AS IN THE CASE OF OWENS-ILLINOIS, IT WAS PRESIDENT PEREZ'S RESPONSIBILITY TO PUNISH OCCIDENTAL. WITH REGARD TO THE DIFFERENCES IN THE CONCLUSIONS REACHED BY HIS CONGRESSIONAL COMMITTEE AND THE COURT, MARTINEZ SAID, "WHEN THE CHARGES WERE FIRST MADE THE PRESIDENT CONDUCTED A SECRET STUDY WITH MAGNIFICENT SUPPORT FROM THE POLICE AND BANKS, WHICH PRODUCED MORE DETAILED INFORMATION." HE ADDED, HOWEVER, THAT THE COURT SAW THINGS DIFFERENTLY FROM HIS COMMITTEE DUE TO THE "EVIDENT VULNERABILITY OF OUR JUDICIAL SYSTEM."

3. ONE OF THE ACCUSED, ALBERTO FLORES ORTEGA, APPEARED AT A CARACAS POLICE STATION JULY 15 TO BE CHARGED. HE WAS PERMITTED TO GO FREE, HOWEVER, AS THE ARREST WARRANT HAD NOT YET ARRIVED IN THE HANDS OF THE POLICE, AS FAR AS THE EMBASSY IS AWARE, NONE OF THE PERSONS CHARGED WITH CONSPIRACY HAS BEEN ARRESTED.

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